

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

MIGUEL DAVILA,	:	
Plaintiff	:	
v.	:	3:13-CV-574
COUNTY OF LACKAWANNA, et al.	:	(Mannion, D.J.) (Schwab, M.J.)
Defendants	:	

ORDER

IT IS HEREBY ORDERED THAT:

- (1) Plaintiff's motion for leave to proceed *in forma pauperis*, (Doc. No. [4](#)), is **GRANTED**.
- (2) The report and recommendation of Judge Schwab, (Doc. No. [5](#)), is **ADOPTED IN FULL**.
- (3) Plaintiff's complaint, (Doc. No. [1](#)), is **DISMISSED WITHOUT PREJUDICE** to refile an Amended Complaint, on or before May 15, 2013, addressing the deficiencies addressed in Judge Schwab's report and recommendation. (Doc. No. [5](#)). Failure to timely file a sufficient Amended Complaint will result in the dismissal of this action with prejudice.
- (4) Because the complaint is dismissed, plaintiff's motion to stay the case, (Doc. No. [7](#)), is **DISMISSED AS MOOT**.

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

DATED: April 15, 2013